

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

DEC 17 2009

UNITED STATES OF AMERICA,)
)
)
v.) Criminal No. 3:09CR349
)
EDWIN NOEL SALGUERO-GONZALEZ,)
)
)
Defendant.)

STATEMENT OF FACTS

The parties stipulate that the following facts are true and that, were this case to go to trial, the United States of America would prove each of the following facts beyond a reasonable doubt.

1. EDWIN NOEL SALGUERO-GONZALEZ, born on June 22, 1968, in Guatemala, and at all times a Guatemalan citizen, first entered the United States without inspection at an unknown location on an unknown date.
2. On or about January 10, 1997, SALGUERO-GONZALEZ was encountered by the Office of Asylum in Los Angeles, California. It was determined that SALGUERO-GONZALEZ had entered the United States without inspection and on January 23, 1997, SALGUERO-GONZALEZ was issued an Order to Show Cause and Notice of Hearing. On August 4, 1998, SALGUERO-GONZALEZ was ordered removed from the United States by an Immigration Judge and on January 26, 2005, SALGUERO-GONZALEZ was removed from the United States to Guatemala. At the time of his removal, SALGUERO-GONZALEZ was served with a Form I-294, advising SALGUERO-GONZALEZ of the penalties for reentry without the required permission of the Attorney General of the United States or the Secretary of Homeland Security.

3. Following his return to Guatemala, SALGUERO-GONZALEZ, again illegally entered the United States without the required advance permission of the Attorney General of the United States or the Secretary of Homeland Security, at an unknown location on an unknown date.

4. On or about September 20, 2009, SALGUERO-GONZALEZ was encountered by United States Immigration agents at the Chesterfield County Jail in Chesterfield, Virginia, where he was awaiting disposition for charges of Driving While Intoxicated, Second Offense within 5-10 Years.

5. At all times relevant to the indictment and underlying facts as charged, EDWIN NOEL SALGUERO-GONZALEZ, did knowingly and unlawfully reenter the United States after removal in violation of Title 8, United States Code, Sections 1326(a).

After consulting with my attorney with the assistance of an interpreter, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Edwin Salguero
EDWIN NOEL SALGUERO-GONZALEZ

12-9-09
Date

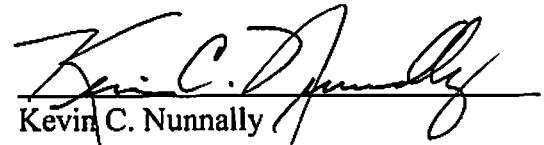
I am counsel for the defendant. With the assistance of an interpreter, I have carefully reviewed the Statement of Facts with the defendant and, to my knowledge, the defendant's decision to agree to this Statement of Facts is an informed and voluntary decision.

Craig W. Sampson
Craig W. Sampson, Esquire
Counsel for SALGUERO-GONZALEZ

12-9-09
Date

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By:



Kevin C. Nunnally
Special Assistant United States Attorney